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IMPAX LABORATORIES, INC.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

IMPAX LABORATORIES, INC.,

Plaintiff,

v.

MEDICIS PHARMACEUTICAL CORP.,

Defendant.

CASE NO.: C08-0253-MMC

NOTICE OF APPEAL

Notice is hereby given that plaintiff Impax Laboratories, Inc. in the above named case hereby appeals to the United States Court of Appeals for the Federal Circuit from the final judgment entered in this action on April 22, 2008 and all rulings and orders merged therein, including the Order Granting Defendant's Motion to Dismiss dated April 16, 2008 and the Judgment in a Civil Case dated April 22, 2008.

Dated: May 12, 2008

WILSON SONSINI GOODRICH & ROSATI
Professional Corporation

By: _____

Roger J. Chin
rchin@wsgr.com

Attorneys for Plaintiff
IMPAX LABORATORIES, INC.

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FILED
MAY 12 AM 10:48
CLERK U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

CERTIFICATE OF SERVICE

I hereby certify that the foregoing Notice of Appeal was served on this date on counsel
for defendant, via United States mail and facsimile:

Elizabeth S. Weiswasser, Esq.
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I declare under penalty of perjury that the foregoing is true and correct. Executed on
May 12, 2008, at San Francisco, California.


Roger L. Chin

ADRMOP, AO279, APPEAL, E-Filing

**U.S. District Court
California Northern District (San Francisco)
CIVIL DOCKET FOR CASE #: 3:08-cv-00253-MMC
Internal Use Only**

IMPAX Laboratories, Inc. v. Medicis Pharmaceutical Corp
Assigned to: Hon. Maxine M. Chesney
Cause: 28:2201 Declaratory Judgement

Date Filed: 01/15/2008
Date Terminated: 04/16/2008
Jury Demand: None
Nature of Suit: 830 Patent
Jurisdiction: Federal Question

Plaintiff**IMPAX Laboratories, Inc.**

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Date Filed	#	Docket Text
01/15/2008	1	COMPLAINT FOR DECLARATORY JUDGMENT; summons issued against Medicis Pharmaceutical Corp (Filing fee \$ 350, receipt number 34611014612). Filed by IMPAX Laboratories, Inc. (Attachments: # 1 Exhibit A)(slh, COURT STAFF) (Filed on 1/15/2008) (Entered: 01/16/2008)
01/15/2008	2	ADR SCHEDULING ORDER: Case Management Conference set for 4/23/2008 01:30 PM. Case Management Statement due by 4/16/2008. (Attachments: # 1 EMC Standing Order, # 2 Case Management Standing

		Order)(slh, COURT STAFF) (Filed on 1/15/2008) (Entered: 01/16/2008)
01/15/2008		CASE DESIGNATED for Electronic Filing. (slh, COURT STAFF) (Filed on 1/15/2008) (Entered: 01/16/2008)
01/16/2008	3	REPORT on the filing or determination of an action regarding patent infringement (cc: form mailed to register). (slh, COURT STAFF) (Filed on 1/16/2008) (Entered: 01/16/2008)
01/16/2008	4	Declination to Proceed Before a U.S. Magistrate Judge by IMPAX Laboratories, Inc.. (Chin, Roger) (Filed on 1/16/2008) (Entered: 01/16/2008)
01/17/2008	5	CLERK'S NOTICE of Impending Reassignment to U.S. District Judge (bpf, COURT STAFF) (Filed on 1/17/2008) (Entered: 01/17/2008)
01/18/2008	6	ORDER REASSIGNING CASE. Case reassigned to Judge Hon. Maxine M. Chesney for all further proceedings. Judge Magistrate Judge Edward M. Chen no longer assigned to the case.. Signed by Executive Committee on 1/18/08. (as, COURT STAFF) (Filed on 1/18/2008) (Entered: 01/18/2008)
01/24/2008	7	SUMMONS Returned Executed by IMPAX Laboratories, Inc. Medicis Pharmaceutical Corp served on 1/24/2008, answer due 2/13/2008. (Chin, Roger) (Filed on 1/24/2008) (Entered: 01/24/2008)
01/30/2008	8	CASE MANAGEMENT SCHEDULING ORDER: Case Management Statement due by 4/18/2008. Case Management Conference set for 4/25/2008 10:30 AM.. Signed by Judge Maxine M. Chesney on 2/27/2007. (Attachments: # 1 Judge Chesney's Standing Orders)(tl, COURT STAFF) (Filed on 1/30/2008) (Entered: 01/30/2008)
01/30/2008	9	CERTIFICATE OF SERVICE by IMPAX Laboratories, Inc. of <i>Case Management Conference Order and Standing Orders</i> (Chin, Roger) (Filed on 1/30/2008) (Entered: 01/30/2008)
02/04/2008	10	STIPULATION TO EXTEND TIME FOR MEDICIS TO RESPOND TO IMPAX'S COMPLAINT FOR DECLARATORY JUDGMENT by Medicis Pharmaceutical Corp. (Powers, Matthew) (Filed on 2/4/2008) (Entered: 02/04/2008)
02/04/2008	11	Certificate of Interested Entities by Medicis Pharmaceutical Corp <i>CIVIL LOCAL RULE 3-16 CERTIFICATION</i> (Powers, Matthew) (Filed on 2/4/2008) (Entered: 02/04/2008)
02/05/2008	12	MOTION for leave admission of Attorney Elizabeth Stotland Weiswasser to appear in Pro Hac Vice (Filing fee \$ 210.00, receipt number 34611015465.) filed by Medicis Pharmaceutical Corp. (Attachments: # 1 Proposed Order) (aaa, Court Staff) (Filed on 2/5/2008) (Entered: 02/06/2008)
02/05/2008	13	MOTION for leave for admission of Attorney Jennifer H. Wu to appear in Pro Hac Vice (Filing fee \$ 210.00, receipt number 34611015463.) filed by Medicis Pharmaceutical Corp. (Attachments: # 1 Proposed Order)(aaa, Court Staff) (Filed on 2/5/2008) (Entered: 02/06/2008)
02/07/2008	14	ORDER by Judge Maxine M. Chesney granting 13 Motion for Pro Hac Vice

		of attorney Jennifer H. Wu. (tl, COURT STAFF) (Filed on 2/7/2008) (Entered: 02/07/2008)
02/07/2008	15	ORDER by Judge Maxine M. Chesney granting 12 Motion for Pro Hac Vice of attorney Elizabeth Stotland Weiswasser. (tl, COURT STAFF) (Filed on 2/7/2008) (Entered: 02/07/2008)
02/07/2008		(Court only) ***Attorney Jennifer H. Wu for Medicis Pharmaceutical Corp, Elizabeth Stotland Weiswasser for Medicis Pharmaceutical Corp added. (tl, COURT STAFF) (Filed on 2/7/2008) (Entered: 02/07/2008)
02/25/2008	16	STIPULATION TO EXTEND TIME FOR MEDICIS TO RESPOND TO IMPAXS COMPLAINT FOR DECLARATORY JUDGMENT by Medicis Pharmaceutical Corp. (Powers, Matthew) (Filed on 2/25/2008) (Entered: 02/25/2008)
03/05/2008	17	MOTION to Dismiss filed by Medicis Pharmaceutical Corp. Motion Hearing set for 4/11/2008 09:00 AM in Courtroom 7, 19th Floor, San Francisco. (Powers, Matthew) (Filed on 3/5/2008) (Entered: 03/05/2008)
03/05/2008	18	Proposed Order <i>Granting Medicis' 17 Motion to Dismiss</i> by Medicis Pharmaceutical Corp. (Powers, Matthew) (Filed on 3/5/2008) Modified on 3/6/2008 (aaa, Court Staff). (Entered: 03/05/2008)
03/05/2008	19	Declaration of Jennifer H. Wu in Support of 17 MOTION to Dismiss filed by Medicis Pharmaceutical Corp. (Attachments: # 1 Exhibit 1, # 2 Exhibit 2, # 3 Exhibit 3, # 4 Exhibit 4)(Related document(s) 17) (Wu, Jennifer) (Filed on 3/5/2008) (Entered: 03/05/2008)
03/21/2008	20	Memorandum in Opposition re 17 MOTION to Dismiss filed by IMPAX Laboratories, Inc.. (Chin, Roger) (Filed on 3/21/2008) (Entered: 03/21/2008)
03/21/2008	21	Proposed Order re 17 MOTION to Dismiss <i>Proposed Order Denying Motion</i> by IMPAX Laboratories, Inc.. (Chin, Roger) (Filed on 3/21/2008) (Entered: 03/21/2008)
03/21/2008	22	Declaration of Ted Smolenski in Support of 20 Memorandum in Opposition filed by IMPAX Laboratories, Inc.. (Related document(s) 20) (Chin, Roger) (Filed on 3/21/2008) (Entered: 03/21/2008)
03/21/2008	23	Declaration of Roger J. Chin in Support of 20 Memorandum in Opposition filed by IMPAX Laboratories, Inc.. (Attachments: # 1 Exhibit A, # 2 Exhibit B, # 3 Exhibit C, # 4 Exhibit D, # 5 Exhibit E, # 6 Exhibit F, # 7 Exhibit G, # 8 Exhibit H, # 9 Exhibit I, # 10 Exhibit J, # 11 Exhibit K, # 12 Exhibit L, # 13 Exhibit M, # 14 Exhibit N)(Related document(s) 20) (Chin, Roger) (Filed on 3/21/2008) (Entered: 03/21/2008)
03/28/2008	24	Reply Memorandum re 17 MOTION to Dismiss <i>REPLY IN FURTHER SUPPORT OF MEDICIS' MOTION TO DISMISS</i> filed by Medicis Pharmaceutical Corp. (Powers, Matthew) (Filed on 3/28/2008) (Entered: 03/28/2008)
04/02/2008	25	STIPULATION and Proposed Order selecting Private ADR by IMPAX Laboratories, Inc. (Attachments: # 1 Plaintiff's ADR Certification, # 2

		Defendant's ADR Certification)(Chin, Roger) (Filed on 4/2/2008) (Entered: 04/02/2008)
04/03/2008	26	STATEMENT OF RECENT DECISION pursuant to Civil Local Rule 7-3.d filed by Medicis Pharmaceutical Corp. (Attachments: # 1 Exhibit A)(Powers, Matthew) (Filed on 4/3/2008) (Entered: 04/03/2008)
04/14/2008	30	MOTION for leave for admission of Attorney David Greenbaum to appear in Pro Hac Vice (Filing fee \$ 210.00, receipt number 34611018115.) filed by Medicis Pharmaceutical Corp. (Attachments: # 1 [Proposed] Order)(aaa, Court Staff) (Filed on 4/14/2008) (Entered: 04/16/2008)
04/15/2008	27	STIPULATION and <i>[Proposed] Order to Continue Initial Case Management Conference</i> by IMPAX Laboratories, Inc.. (Koh, Jennifer) (Filed on 4/15/2008) (Entered: 04/15/2008)
04/15/2008	28	STIPULATION AND ORDER to Continue Initial Case Management Conference. The Initial Case Management Conference scheduled for April 25, 2008 is vacated and shall be rescheduled for 10:30 a.m. on the Friday following issuance of the Court's order on the pending motion to dismiss. Signed by Judge Maxine M. Chesney on April 15, 2008. (mmclc2, COURT STAFF) (Filed on 4/15/2008) (Entered: 04/15/2008)
04/15/2008		(Court only) ***Deadlines terminated. Re 28 Stipulation & Order (aaa, Court Staff) (Filed on 4/15/2008) (Entered: 04/16/2008)
04/16/2008	29	ORDER granting 17 Defendant's Motion to Dismiss. Signed by Judge Maxine M. Chesney on April 16, 2008. (mmclc2, COURT STAFF) (Filed on 4/16/2008) (Entered: 04/16/2008)
04/16/2008		(Court only) ***Civil Case Terminated. (mmclc2, COURT STAFF) (Filed on 4/16/2008) (Entered: 04/16/2008)
04/17/2008	31	ORDER by Judge Maxine M. Chesney granting 30 Motion for Pro Hac Vice of David Greenbaum. (rbe, COURT STAFF) (Filed on 4/17/2008) (Entered: 04/17/2008)
04/17/2008		(Court only) ***Attorney David Greenbaum for Medicis Pharmaceutical Corp added. Re 31 Order (aaa, Court Staff) (Filed on 4/17/2008) (Entered: 04/18/2008)
04/22/2008	32	JUDGMENT: Defendant's motion to dismiss is hereby GRANTED. (tl, COURT STAFF) (Filed on 4/22/2008) (Entered: 04/22/2008)
05/12/2008	33	NOTICE OF APPEAL as to 32 Judgment, 29 Order on Motion to Dismiss by IMPAX Laboratories, Inc. Filing fee \$ 455.00., Receipt Number 34611019042. Appeal Record due by 6/11/2008. (aaa, Court Staff) (Filed on 5/12/2008) (Entered: 05/13/2008)
05/13/2008	34	Transmission of Notice of Appeal, Cover Letter and Docket Sheet to US Court of Appeals re 33 Notice of Appeal (aaa, Court Staff) (Filed on 5/13/2008) (Additional attachment(s) added on 5/13/2008: # 1 Cover Letter) (aaa, Court Staff). (Entered: 05/13/2008)

05/13/2008	35	Certificate of Record Mailed to USCA re appeal 33 Notice of Appeal : (aaa, Court Staff) (Filed on 5/13/2008) (Entered: 05/13/2008)
05/13/2008	36	Copy of 33 Notice of Appeal and Docket sheet mailed to all counsel without an e-mailing address. (aaa, Court Staff) (Filed on 5/13/2008) (Entered: 05/13/2008)